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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/475,144	12/30/1999	FEN-CHUNG KUNG	1999-0241	6003
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AT&T CORP.
P.O. BOX 4110
MIDDLETOWN, NJ 07748

EXAMINER

NGUYEN, QUYNH H

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 02/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/475,144

Applicant(s)

KUNG ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7,8,14.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1-14, 17-33, and 36-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent 5,946,386) in view of Arbel et al. (U.S. Patent 5,276,731).

Referring to claims 1 and 38, Rogers teaches the steps of: routing the call to a network device (Fig. 1, 101); the network device sending call destination information to a customer premises equipment responsible for the first telephone ("user") (col. 8, lines 53-67); the customer premises equipment checking stored call forwarding profiles in the customer premises equipment to determine whether there is an active call forwarding profile for the first telephone (Fig. 5, 521 and col. 24, lines 30-57); the network device extending the call via the customer premises equipment to the first telephone if an active call forwarding profile is not found (col. 29, lines 45-54); the customer premises equipment sending call forwarding information of the profile for the first telephone, which information includes conditions for call forwarding, to the network device, if there is an active call forwarding profile for the first telephone (col. 37, lines 39-41 and 44-57); the network device receiving the call forwarding information and routing the call to at least a third telephone based on the call forwarding information (col. 31, lines 60-67). However, Rogers does not teach call forwarding profile created and IP telephone network.

Arbel teaches creating/setting up call forwarding profile (col. 10, lines 11-27).

Furthermore, the steps of: dialing a unique identifier for a first telephone from a second

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telephone to make a call; checking stored call forwarding profiles to determine whether there is an active call forwarding profile for first telephone; connecting said call to first telephone if an active call forwarding profile is not found; routing the call to at least a third telephone if there is an active call forwarding profile for the first telephone are standard call forwarding features.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow subscribers ^{to} create/set up call forwarding profile according ^{to} their own schedule/preferences in the IP telephone network in order to receive and process IP telephone calls according to their needs. The advantages of using IP telephony are well known. For example, IP telephone calls are economical.

Referring to claims 2, 21, and 39, Rogers teaches using a distinctive ringing tone at the at least third telephone to indicate that the incoming call is a forwarded call (col. 38, lines 4-5).

Referring to claims 3, 22, and 40, Rogers does not mention subscriber creates call forwarding profiles using a computer connected to customer premises equipment via phone lines. Arbel teaches using personal communication software to access to a remote database/profiles (col. 7, lines 4-7).

Referring to claims 4, 23, and 41, Rogers teaches Broadband Residential Gateway (Fig. 2, 207 and 213). However, Rogers does not mention subscriber creates call forwarding profiles by interacting with the customer premises equipment. Arbel teaches subscriber creates call forwarding profiles by interacting with the customer premises equipment (col. 6, lines 33-40).

Referring to claims 5, 6, 24, 25, 42, and 43, Rogers and Arbel do not mention about the active call forwarding profile remains active until the call forwarding profile is disabled or deleted from the customer premises equipment by a subscriber. They are well known file

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processing features. For example, database will remain on customer premises equipment until file deleted.

Referring to claims 7-9, 26-28, and 44-46, Rogers teaches call forwarding profile comprises multiple unique identifiers to which the call can be routed or simultaneously or sequentially to the multiple unique identifiers (col. 37, lines 53-55).

Referring to claims 10, 29, and 47, Rogers teaches call forwarding profile only forwards calls from a predetermined list of caller unique identifiers (col. 37, lines 31-33).

Referring to claims 11-14, 30-33, and 48-51, Rogers does not teach the call forwarding profile specifies that call are only to be forwarded during predetermined periods of time are various days of the week or hours or the day or hours and days of the week. Arbel teaches the call forwarding profile specifies that call are only to be forwarded during predetermined periods of time are various days of the week or hours or the day or hours and days of the week (col. 10, lines 11-27).

Referring to claims 17 and 36, Rogers teaches customer premises equipment is a Broadband Residential Gateway ((Fig. 2, 207 and 213).

Referring to claims 18 and 37, Rogers teaches network device is a Call Manger (Fig. 2, 208).

Claims 19 and 20 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Rogers does not teach customer premises device has memory is a flash memory means for call forwarding profiles. Arbel teaches customer premises device has memory is a flash memory means for call forwarding profiles and means for determining if the

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call forwarding profile is active when a call is received at the customer premises device for the telephone (Fig. 3, 370).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that a flash memory exists in any customer premises device and is necessary in order to store call forwarding profiles.

Claim 52 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Rogers teaches decision was made on routing the calls (Fig. 5 and col. 24, lines 14-57) reads on claimed "sending control signal".

3. Claims 15, 16, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent 5,946,386) in view of Arbel et al. (U.S. Patent 5,276,731) and further in view of Agraharam et al. (U.S. Patent 5,987,508).

Referring to claims 15, 16, 34, and 35, Rogers and Arbel do not teach that the unique identifier is a telephone number or an IP address. Agraharam teaches telephone number associated with an alias e-mail address (Abstract, lines 4-5 and col. 1, lines 44-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the connectivity between the use of the telephone network and an e-mail address to reduce the complexity of remembering and/or keep track of the e-mail addresses of multiple recipients.

Response to Arguments

4. Applicant's arguments filed 12/05/02 have been fully considered but they are not persuasive. Applicant's arguments are addressed in the above claims rejection. Furthermore, Applicant argues that "using a recipient's alias telephone number for an email, which alias name

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is translated in a database to the proper email address, is suggestive of using an IP address of a destination telephone, which is not translated to some other conventional destination identifier". Examiner respectfully disagrees. The cited passages in Agrapharam teaches unique identifier is the recipient's telephone number which associated with an e-mail address/IP address.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry, please label the response "EXPEDITED PROCEDURE")

or: (703) 308-6296, (for informal or draft communication, please label

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"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

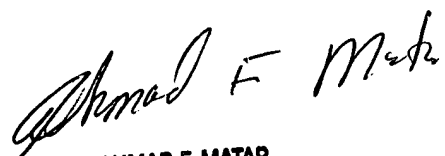
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
February 03, 2003


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700